

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

AMERIPRISE FINANCIAL SERVICES, LLC,

Plaintiff,

Case No. 2:24-cv-11471

HON. BRANDY R. MCMILLION

v.

MITCHELL R. MCCANN,
WESLEY MCCANN, AND
LPL FINANCIAL, LLC,

Defendants.

**ORDER GRANTING PLAINTIFF’S MOTION FOR TEMPORARY
RESTRAINING ORDER AS TO LPL FINANCIAL, LLC AND DENYING
MOTION FOR EXPEDITED DISCOVERY**

Before the Court is Plaintiff Ameriprise Financial Services, LLC’s (“Ameriprise”) Motion for Temporary Restraining Order, Preliminary Injunction, and Order Permitting Expedited Discovery (ECF No. 2), filed June 4, 2024, as to Defendant LPL Financial, LLC.¹ The Court heard oral argument on the motion on July 1, 2024. For the reasons stated on the record, the Court **GRANTS** the motion

¹ Ameriprise originally filed this motion against all defendants but was able to reach a mutual agreement with individual defendants Mitchell R. McCann and Wesley McCann. The Court entered a Stipulated Order for a temporary injunction against Mitchell R. McCann and Wesley McCann and stayed the proceedings as to those defendants. *See* ECF No. 13. By virtue of that stipulation, Ameriprise withdrew the instant motion as to the McCann defendants.

for a temporary restraining order, as set forth herein, and **DENIES** the request for expedited discovery.

Accordingly, it is **HEREBY ORDERED** that LPL Financial, LLC, is temporarily enjoined from, directly or indirectly (including by use of financial advisors other than Mitchell R. McCann and Wesley McCann), the following conduct:

- Soliciting, attempting to solicit, inducing to leave or attempting to induce to leave any Ameriprise client that was serviced by Defendants Mitchell R. McCann and Wesley McCann at Ameriprise or whose names became known to LPL Financial, LLC by virtue of Mitchell R. McCann and Wesley McCann's employment with Ameriprise (or any of its predecessors in interest); and
- Using, disclosing, or transmitting for any purpose Ameriprise's confidential documents, materials, and/or confidential and proprietary information pertaining to Ameriprise, Ameriprise's employees, and/or Ameriprise's clients.

Nothing in the above terms shall be construed to prohibit LPL Financial, LLC from servicing any clients which may already be clients of LPL Financial, LLC as of the date of this Order.

IT IS FURTHER ORDERED that Ameriprise shall post with the Clerk of the Court a bond in the amount of \$50,000 as security on or before **July 8, 2024**.

IT IS FURTHER ORDERED that the parties shall appear on **July 15, 2024**, at 11:30 a.m., to **SHOW CAUSE** why this Order should not be converted to a preliminary injunction until the FINRA action can be decided on the merits.

IT IS FURTHER ORDERED that Ameriprise's request for expedited discovery is **DENIED**.

IT SO ORDERED.

Dated: July 1, 2024

s/Brandy R. McMillion

Hon. Brandy R. McMillion
United States District Judge